

LOUISIANA DEPARTMENT OF JUSTICE  
STRATEGIC PLAN  
FY 2005 THROUGH FY 2010

July 1, 2004

**Louisiana Department of Justice**  
**Strategic Plan**  
**FY 2005 through 2010**

**VISION:** Louisiana citizens will live in safe communities and a healthy environment where economic opportunities are available to pursue a better quality of life while natural resources are preserved for future generations.

**MISSION:** To protect the people and resources of the State of Louisiana by providing superior legal representation, and interpretation, professional and effective law enforcement, and public education programs.

**PHILOSOPHY:** While enforcing the laws and protecting the interests of the state, the Department of Justice will respect the citizens of Louisiana, and foster a sense of pride in its employees, and ensure employee productivity through a system of performance based management.

**GOALS:**

- I. The Department of Justice will provide superior legal and professional services to the State of Louisiana.
- II. The Department of Justice will develop a working environment that encourages competent individuals to pursue career employment in the Department of Justice.
- III. The Department of Justice will improve the process of recovering monies owed the State of Louisiana and limit the liabilities of the state.
- IV. The Department of Justice will improve cooperative working relationships with federal, state and local agencies and private sector organizations.
- V. The Department of Justice will make public service information accessible to the citizens of Louisiana.
- VI. The Department of Justice will develop a state-of-art work management system to improve the work process and performance measures.
- VII. The Department of Justice will develop and support programs that ensure a safe environment in Louisiana communities, schools, and workplace.
- VIII. The Department of Justice will develop and implement a performance based management system.

<b>PROGRAM:</b>	<b>ADMINISTRATIVE</b>
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**MISSION:** The mission of the Administrative Services Program is to provide superior services to the citizens of Louisiana, management support and oversight to the Department of Justice, and support to other governmental entities in the federal, state, and local sectors.

**PROGRAM ACTIVITIES:**

The Department intends to develop and implement a work management program to provide input into a quality assurance system that will track and provide management with true accountability of the Administrative professionals work product. Improve skills and effectiveness of less experienced Administrative employees as the use of this program will encourage attention to detail. It will also provide an additional level of oversight and monitoring of work. The work management program will create and develop a system to track work processes and outputs of the Department's Administrative employees.

In addition, the Department will develop a Quality Assurance and Mentor Program. This will improve skills and effectiveness of less experienced Administrative employees, and provide the checks and balances required for true accountability. It will also provide an additional level of oversight and monitoring of work.

The Administrative Services Program consists of the Attorney General, the First Assistant Attorney General, the Executive Office of the Attorney General, and the Administrative Services Division.

The Program is responsible for the coordination of the department's budget, insuring program accountability, coordination of professional services contracts, interoffice mail distribution, finance, human resources and payroll, collections, purchasing, property control, telecommunications, fleet management, legislative and departmental planning, management information systems, governmental and drug policy initiatives, employee training and development, management of all opinion requests and opinions, public dissemination of information, and other administrative functions that provide for the efficient management of the department.

The Administrative Services Division is currently divided into nine sections: Finance; Human Resources/Payroll; Collections; Purchasing; Property Control, Central Receiving, Fleet Management, and Mail Operations; Management Information Systems/Telecommunications; Governmental; Community Education Assistance; and Budget/Accountability.

*Finance:* This Section is responsible for receiving and classifying all revenues, processing vendor payments, employee reimbursements, and preparing fiscal reports in accordance with policies and procedures established by the Legislature, Division of Administration, etc.

*Human Resources/ Payroll:* This Section is responsible for the processing of all new and existing employees, and retired employees.

*Collections:* This Section represents Louisiana's 16 public colleges and universities, the State Department of Education, the Board of Regents, and the Office of Student Financial Assistance, in the collection and litigation of defaulted educational loans/benefits. Over 7,900 accounts valued in excess of \$21 million are currently placed for collection. The section relies totally upon self-generated revenues for its operation.

*Purchasing:* This Section is responsible for coordinating all purchases for the department.

*Property Control/Central Receiving /Fleet Management/Mail Operation:* This Section is responsible for maintaining inventory of all movable property purchased by the department; receiving all commodities delivered to the Livingston Building; handling fleet management and coordinating the distribution of mail for the department.

*Management Information Systems/Telecommunications:* This Section is responsible for coordinating all information technology services for the department. This includes assisting divisions in analyzing their computer equipment and technology needs, designing custom applications, training department employees in the use of hardware and software, responding to requests for computer service through the operation of a Help Desk, maintaining a wide area network linking all computers in 10 buildings statewide, purchasing and coordinating the installation of all telecommunications equipment.

*Governmental:* This Section provides assistance to local officials and facilitates effective communication between public entities and the Department of Justice.

Community Education Assistance: This Section through empowerment, community awareness, and education develops and supports collaborative initiatives that respond to the needs of citizens. Various programs include youth education and violence prevention in the areas of school violence, teen dating violence, gang abatement, internet safety, and underage drinking. This Section houses a comprehensive informational clearinghouse on alcohol, drugs, youth violence, underage tobacco use, and gangs, which is used to provide technical assistance and response to information requests from other agencies, educators, students, parents, community leaders, and the public.. In addition to youth initiatives, the Section houses the state's only statewide domestic violence in the workplace technical assistance and training program which works with employers in Louisiana and nationwide to develop policies and other appropriate responses supportive to the special needs of battered working women.

Budget/Accountability: This Section is responsible for maintaining and tracking the department's budget; it is also responsible for conceiving methods of accountability for all of the Department of Justice programs. In addition, this Section is responsible for developing, maintaining, and operating a performance based management system within the Department of Justice.

#### **LOUISIANA VISION 2020:**

The goals of this program incorporate one goal of the Louisiana Vision 2020: Goal 1: To be a learning enterprise in which all Louisiana businesses, institutions, and citizens are actively engaged in the pursuit of knowledge.

#### **DUPLICATION:**

No other state agency is charged with the administrative support for the Louisiana Department of Justice. Thus, there is no duplication of effort by any other state agency.

#### **AUTHORIZATION FOR GOAL(S):**

La. Constitution, Article IV, Section 8

La. Constitution, Article IV, Section 13

La. R.S. 36:704(b)

## **GOALS:**

- I. Provide superior professional services to the State of Louisiana and the employees of the Department of Justice.
- II. Improve the process of recovering monies owed the State of Louisiana and limit the liabilities of the state.
- III. Develop a working environment that encourages competent employees to pursue career employment with the Department of Justice.
- IV. Develop support programs and public policy initiatives that ensure a safe environment in Louisiana communities, schools, and workplaces.

### **GOAL I. Provide superior professional services to the State of Louisiana and the employees of the Department of Justice.**

**OBJECTIVE I.1:** Through Administrative Services to ensure that all programs in the Department of Justice are provided support services to accomplish 100% of their program objectives through June 30, 2010.

*JUSTIFICATION: The Budget and Accountability Section is to provide enhancement of professional budgeting and performance analysis in keeping with the requirements of the State of Louisiana's performance-based budgeting system. This includes budget-related services such as long and short-term financial analysis and operating budget development. Furthermore, it includes policy development and creating accountability methods in order to measure performance indicators. This Section will design and implement a sophisticated, technology based accountability system that will track department performance. This information will be used by the Attorney General and the Executive Office when making management decisions and will justify the department's annual appropriation to both the Executive and Legislative branches of government.*

*BENCHMARKING: In researching other state agencies, it was found that a comprehensive budget and accountability program had not been implemented. The Louisiana Department of Justice intends to establish a successful Budget and Accountability Section, whose primary tasks include tracking budgets, enhancing the department's efficiency level, and program accountability. Future examinations of private organizations and governmental agencies of other states will be performed to supply the Attorney General's Office with a broader range of budget and accountability methods.*

*PRIMARY PERSONS BENEFITING: The department employees and taxpayers who expect the department to be managed efficiently.*

STRATEGY I.1.1: Create a Budget and Accountability Section to track program budgets, to enhance efficiency levels, and to increase the accountability of the department by Fall 2004.

STRATEGY I.1.2: Provide Department of Justice management staff with more efficient and effective financial analysis by reducing budget projection preparation time to three days by June 30, 2010.

STRATEGY I.1.3: Identify and resolve problem areas that result in untimely payments to staff and vendors.

STRATEGY I.1.4: Maintain ISIS – A/P Aging of 30 days.

**PERFORMANCE INDICATORS:**

**Input/Output:**

Number of organization employees supported.

Number of employees in organization per support services person.

**Outcome:**

Percentage of objectives not accomplished due to support services.

**Quality:**

Total value of assets managed.

**OBJECTIVE I.2:** Assuring that there are no repeat findings in the legislative auditor's annual report by 2010.

*JUSTIFICATION: In order for the Department of Justice to be in compliance with the HBI- Section C, Page 5 - of the 2004 Regular Legislative Session that states "The budget request of any agency with an appropriation level of thirty million dollars or more shall include within its existing table of organization the position of internal auditor".*

*BENCHMARKING: In researching other state agencies it was found that the Attorney General's office is one of a few State Departments with a budget in excess of \$30 million dollars that currently does not have an internal auditor position within the table of organization. Furthermore, the legislative auditor has cited*



*the Department of Justice for not utilizing an internal auditor. In order to satisfy this past finding, usage of an internal auditor would not only benefit the department's operations but also the department's image.*

*PRIMARY PERSONS BENEFITING: The department employees and taxpayers who expect the department to be managed efficiently.*

STRATEGY I.2.1: Hire an internal auditor for the Attorney General's office.

STRATEGY I.2.2: Develop an internal auditing process that is pro-active in seeking out areas within the department that may warrant findings by the legislative auditor.

STRATEGY I.2.3: To identify the adequacy or weakness of the department's internal control processes by performing scheduled internal audits, and assuring that there are no repeat findings in the legislative auditor's internal report.

STRATEGY I.2.4: Establish and implement an internal audit control process by performing scheduled internal audits.

#### PERFORMANCE INDICATORS:

##### Input/Output:

Number of internal audits performed.

Number of internal audit recommendations adopted.

##### Outcome:

Percentage of repeat internal audit findings.

##### Quality:

Number of repeat audit findings reported by legislative auditors.

**OBJECTIVE I.3:** Response to MIS Help Desk calls will be within an average of two hours.

*JUSTIFICATION: As customer expectations increase, it is imperative that internal service providers meet these expectations through excellent customer service.*

*BENCHMARKS: Emphasis on customer service is prevalent in many state agencies, throughout the information technology industry and Attorney General's offices across the country.*

*PRIMARY PERSONS BENEFITING: All persons who rely on information provided by the Department of Justice including employees, citizens of Louisiana, public officials and other state agencies.*

STRATEGY I.3.1: Maintain tracking system for MIS Help Desk calls

PERFORMANCE INDICATOR

Outcome:

Percentage of MIS Help Desk calls responded to within two hours.

Percentage of MIS Help Desk calls responded to after two hours.

Efficiency:

Number of repeated MIS Help Desk calls received for the same problem.

OBJECTIVE I.4: Offer training in all computer applications related to job functions through June 30, 2010.

*JUSTIFICATION: DOJ employees continue to rely more on computer usage to complete their everyday job functions. Therefore, adequate training is a necessity in the modern workplace.*

*BENCHMARKS: Many state agencies and private firms have prioritized employee training in computer software applications.*

*PRIMARY PERSONS BENEFITING: All persons who rely on information provided by the Department of Justice, including employees, citizens of Louisiana, elected officials, and other state agencies.*

STRATEGY I.4.1: Provide training in MS Word, Excel, PowerPoint, E-mail, Internet browsing and other customized training sessions.

STRATEGY I.4.2: Maintain a well-trained Computer Trainer.

PERFORMANCE INDICATORS:

Outcome:

Number of system users trained.

Percentage of new DOJ employees trained in computer software.

Quality:

Percentage of satisfied employees.

Efficiency:

Cost per student to offer “in-house” training.

**GOAL II. Improve the process of recovering monies owed the State of Louisiana and limit the liabilities of the state.**

**OBJECTIVE II.1:** Collect at least \$3,500,000 in outstanding student loans and Department of Revenue Income Tax Returns each fiscal year.

*JUSTIFICATION: By increasing the number of debts placed with the Collections Section, the Section will continue to provide a service at no cost to the taxpayer, whereas when debts are placed with private collection agencies, they retain a portion of the funds recovered as a fee. Increasing the number of debts placed with the Collections Section insures that it will continue to provide a superior service to the State of Louisiana because every day debts are paid through this office and the number of accounts potentially decreases.*

*BENCHMARKING: There is only one other Attorney General’s office in the country that is doing (potentially) the same type litigation/collection of defaulted education debts. We will be trying to find out more information on their operation in order to ascertain potential means of improvement. Additionally, we will be inquiring of other Attorney General’s office to find out if they perform a similar function.*

*PRIMARY PERSONS BENEFITING: Our present clients and future clients, as well as the government of the State of Louisiana and the United States.*

STRATEGY II.1.1: Service each client to the best of our ability.

STRATEGY II.1.2: Identify which other institutions/agencies can benefit from the service provided by the Collections Section.

PERFORMANCE INDICATORS:

Outcome:

Total collections in past years (OSFA vs. Universities).

Total collections in current year (OSFA vs. Universities).

**OBJECTIVE II.2:** Increase the number of placements paid on in relation to the number of total placements acquired.

*JUSTIFICATION: Increasing the number of debts that are closed by the Collections Section will increase the amount of money returned to the educational institutions/agencies that we represent and for those debts that are uncollectible, the institutions/agencies are allowed the opportunity to identify these as “bad debts”.*

*BENCHMARKING: There is only one other Attorney General’s office in the country that is doing (potentially) the same type of litigation/collection of defaulted education debts. We will be trying to find out more information on their operation in order to ascertain potential means of improvement. Additionally, we will be inquiring of other Attorney General’s offices to find out if they perform a similar function.*

*PRIMARY PERSONS BENEFITING: Our present clients and future clients, as well as the governments of the State of Louisiana and United States.*

STRATEGY II.2.1: Identify which debts are truly uncollectible due to death, Disability; or cost of collections exceeds likely amount of recovery.

STRATEGY II.2.2: Once a debtor is located, proceed to payment arrangement or seizure as soon as possible.

STRATEGY II.2.3: Once a debtor has missed more than payments, the placement proceeds legally/administratively as soon as possible.

PERFORMANCE INDICATORS:

Outcome:

Percentage and Number of debts closed in years past.

Percentage and Number of debts closed in present year.

Percentage change in number of debts closed each year.

Efficiency:

Percentage increase of the amount of money recovered by the state.

**GOAL III. Develop a working environment that encourages competent employees to pursue career employment with the Department of Justice.**

**OBJECTIVE III.1:** Serve 100% of Department of Justice employees in quality and comprehensive Human Resources services.

*JUSTIFICATION: The Department of Justice has changed and increased in size over the past several years. As a result, the Human Resource/Employee Administration Section has had to accommodate the growth in employees while maintaining a static number of Section employees. However, the continued objective of the Human Resource/Employee Administration Section is to provide support services to all Department of Justice employees that include routine personnel services as well as employee and management training. The department has made a concerted effort to modernize and automate its processes. The HR Section is no different in needing to fully automate and be able to integrate with the performance and accountability programs currently being developed and implemented.*

*BENCHMARKING: In our research of offices of other State Attorneys General, we found that training in the State of Texas and California is much more comprehensive than in Louisiana's. In particular, the Attorney General's office of California conducts an extensive legal support-training program. A survey was conducted among the professional staff to determine weaknesses in the skill sets of their staff. They customized their training to address those needs and developed a comprehensive, high quality curriculum. As a result, their legal secretarial training is a two-week program consisting of modules covering every aspect of a secretary's job in their office and employment expectations of new state employees. The training staff is also in the process of developing a training manual for each Section of their department to provide the support staff with an easy to use Section reference manual.*

*Further, a search of best practices among state agencies revealed several practices that will be further researched and possibility implemented by the department. The Department of Wildlife and Fisheries conducts interviews before an interview panel consisting of three to five members, and a HR staff person serves as an observer and advisor during the interviews. Also, standardized interview questions are used*

*to ensure consistency of questions asked to applicants for each specific vacancy. Central Louisiana State Hospital uses a three-month evaluation of new employees to ensure they are being successful in their new positions. Leonard J. Chabert Medical Centers uses a system of Performance Planning and Review(PPR) tickler notices, as well as a series of reminder e-mails and telephone calls. If a PPR rating is not timely, a representative from HR completes a one-on-one remediation session with the supervisor on the PPR policy and confirms that the supervisor understands his/her role in the process.*

*The Louisiana Department of Wildlife and Fisheries uses an electronic filing system to maintain all of its personnel records, including records of job vacancy announcements, Certificates of Eligibles, Inquiries of Availability, applications of candidates, applicant recapitulation reports, payroll records, employee performance records, insurance and retirement records, and disciplinary records. The system uses multiple security levels to ensure limited access to confidential records.*

*The Department of Social Services recently revised its employee handbook and published it in electronic form on the DSS intranet. The handbook gives employees access to policies and procedures that can be more readily updated. This ensures access to the most current version of agency policy and eliminates the need to distribute paper updates and revisions. All new employees at the Department of Natural Resources receive website training as part of the new employee orientation. The website training provides DNR employees the knowledge to access DNR policies and procedures, Civil Service Rules, job search options, and ISISHR Employee Self Service options. The Department of Transportation and Development uses a Standing Committee on Human Resources (SCHR) to address a broad range of human resource issues affecting the department and its employees and to ensure consistent agency position on human resource issues. The SCHR will review and make recommendations to the agency head on job studies, certain position descriptions, personnel policies, pay policies, pay requests, reorganization proposals, and other related issues having a broad impact on DOTD and its staff.*

*PRIMARY PERSONS BENEFITING: The department employees.*

STRATEGY III.1.1: Develop a comprehensive employee training program for DOJ employees.

STRATEGY III.1.2: Hire a Human Resource Director/Coordinator to oversee Section operations and develop policies and procedures in the areas of human resource management.

STRATEGY III.1.3: Enhance and utilize the DOJ Human Resources Database by automating processes in order to track information more accurately.

STRATEGY III.1.4: Develop an employee assistance program for department employees that focus on assistance with mental health counseling, substance abuse counseling, work training, skills development, financial advice and healthcare.

STRATEGY III.1.5: Develop an on-line Human Resource center on the department's Intranet providing access to pertinent HR information for department employees.

STRATEGY III.1.6: Coordinate performance-based accountability program with Budget & Accountability Section to integrate with employee evaluation program.

#### PERFORMANCE INDICATORS:

##### Input/Output:

Number of visits to HR Intranet site.

Number of employees of the Department of Justice.

Number of employees provided in-house training.

Number of employee training courses offered.

##### Outcome:

Percentage completion of on-line HR center on department Intranet.

Percentage completion of automation of HR process.

Percentage completion of employee evaluation program integration with accountability program.

##### Quality:

Percentage of DOJ employees expressing satisfaction with HR services.

##### Efficiency:

Average number of days to respond to request for services.

**GOAL IV: Develop support programs and public policy initiatives that ensure a safe environment in Louisiana communities, schools, and workplaces.**

**OBJECTIVE IV.1:** Through the Community Education Assistance Section, to create youth community awareness and education collaborative initiatives that responds to 100% of requests within 2 days of a request

*JUSTIFICATION: Louisiana Department of Justice has been engaged in alcohol, drug, tobacco and youth violence prevention through the U Drink...U Drive...U Walk Anti-Drinking and Driving Campaign, School Safety Resource Initiative, Cyber Crime Prevention Initiative, Peer Mediation/ Conflict Resolution training, in-service training for teachers, youth anti-drug presentations, DARE officer training, community team-building, development of resource clearinghouse, public service announcements, training manual development, technical assistance to state agencies, local agencies, schools, law enforcement, etc. The Attorney General's office is called upon daily to provide statistics, resources, training workshops, speeches, and presentations across the state on drug, alcohol, tobacco, school safety, domestic violence in the workplace, teen dating violence, conflict resolution, and violence prevention. It is imperative that this work continue through increased public awareness, education and mobilization. The Department of Justice, Community Education Assistance Section accesses federal grants and private cash matches to implement these educational and awareness initiatives.*

*BENCHMARKS: The Attorney General's U Drink...U Drive...U Walk program was nationally recognized as one of "23 Best Practices" for reducing underage drinking. This program will continue to be implemented to educate and mobilize youth and communities to fight underage drinking. The Louisiana Attorney General's office currently offers the most comprehensive approach to insuring school safety among Attorney General's offices in the country. The Attorney General's office is widely respected for its pioneering work in creating innovative responses to the epidemic of domestic violence and its effects on the workplace. The office has created a domestic violence initiative to train employers on how to properly address this epidemic in the workplace. This is Louisiana's first effort to connect the public and employers against domestic violence as it relates to the workplace – and has brought unprecedented visibility to the issue of domestic violence in the workplace. The program – the Louisiana Department of Justice Domestic Violence in the Workplace Initiative – is being replicated nationally and has the distinction of being one of the nation's top workplace domestic violence training programs. The office has made several national presentations regarding the La. Attorney General's office efforts in the areas of domestic violence, school violence prevention, and underage drinking and several states have requested the office to assist them in developing similar initiatives.*

*PRIMARY PERSONS BENEFITING: Youth, families and employers of the State of Louisiana.*



STRATEGY IV.1.1: Maintain tracking of request through the tracking system work management software.

PERFORMANCE INDICATORS:

Input/Output:

Number of school safety trainings provided to public and private schools.

Efficiency:

Average number of days to respond to requests for School Safety Crisis training, technical assistance, and information.

Average number of days to respond to requests for underage drinking commodities, presentations and program implementation.

Average number of days to respond to request for domestic violence in the workplace training, presentations, keynotes speeches, conference workshops and technical assistance.

Outcome:

Number of comprehensive school safety crisis plans that are developed for individual schools and school systems with the assistance of the Attorney General's School Safety Program.

Number of technical assistance activities provided for underage prevention.

Number of underage prevention collaborative programs that are created.

Number of domestic violence in the workplace programs which are created by employers.

Number of on-site and regional domestic violence trainings that are presented.

Number of employers who are assisted with the development of domestic violence in the workplace policies, advocacy efforts, prevention, and educational programs.

OBJECTIVE IV.2: To improve the quality of life among Louisiana children, families, and employers through education and training on violence and substance abuse issues.

*JUSTIFICATION: Louisiana Department of Justice has been engaged in alcohol, drug, tobacco and youth violence prevention through the U Drink...U Drive...U Walk Anti-Drinking and Driving Campaign, School Safety Resource Initiative, Cyber Crime Prevention Initiative, Peer Mediation/ Conflict Resolution training, in-service training for teachers, youth anti-drug presentations, DARE officer training, community team-building, development of resource clearinghouse, public service announcements, training manual development, technical assistance to state agencies, local agencies, schools, law enforcement, etc. The Attorney General's office is called upon daily to provide statistics, resources, training workshops, speeches, and presentations across the state on drug, alcohol, tobacco, school safety, domestic violence in the workplace, teen dating violence, conflict resolution and violence prevention. It is imperative that this work continue through increased public awareness, education and mobilization. The Department of Justice, Community Education Assistance Section accesses federal grants and private cash matches to implement these educational and awareness initiatives.*

*BENCHMARKS: The Attorney General's U Drink...U Drive...U Walk program was nationally recognized as one of "23 Best Practices" for reducing underage drinking. This program will continue to be implemented to educate and mobilize youth and communities to fight underage drinking. The Louisiana Attorney General's office currently offers the most comprehensive approach to insuring school safety among Attorney General's offices in the country. The Attorney General's office is widely respected for its pioneering work in creating innovative responses to the epidemic of domestic violence and its effects on the workplace. The office has created a domestic violence initiative to train employers on how to properly address this epidemic in the workplace. This is Louisiana's first effort to connect the public and employers against domestic violence as it relates to the workplace – and has brought unprecedented visibility to the issue of domestic violence in the workplace. The program – the Louisiana Department of Justice Domestic Violence in the Workplace Initiative – is being replicated nationally and has the distinction of being one of the nation's top workplace domestic violence training programs. The office has made several national presentations regarding the La. Attorney General's Office efforts in the areas of domestic violence, school violence prevention, and underage drinking and several states have requested the office to assist them in developing similar initiatives.*

*PRIMARY PERSONS BENEFITING: Youth, families and employers of the State of Louisiana.*

**STRATEGY IV.2.1:** Insure 100% satisfaction with all Community Education Assistance services including presentations, workshops, training sessions, and technical assistance.

**STRATEGY IV.2.2:** Initiate twenty pro-active education or awareness projects that improve the living, learning, and working environment

of Louisiana children, families, and employers including but not limited to violence and substance abuse.

STRATEGY IV.2.3: Increase by 50% the number of Louisiana citizens provided information, training, and technical assistance by the Community Education Assistance Section by 2010.

PERFORMANCE INDICATORS:

Input/Output:

Number of requests for services.

Outcome:

Percentage of surveys and evaluations rating services satisfactory or better.

Number of pro-active educational/awareness projects initiated.

Efficiency:

Number of citizens provided services.

<b>PROGRAM:</b>	<b>CIVIL</b>
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**MISSION:** To provide competent professional legal services in defense of the state's constitution and statutory laws, as well as advocate on behalf of the citizens and businesses of Louisiana against unfair trade practices and fraud.

**PROGRAM ACTIVITIES:**

The Department intends to develop and implement a work management program to provide input into a quality assurance system that will track and provide management with true accountability of the legal professionals work product. Improve skills and effectiveness of less experienced attorneys as the use of this program will encourage attention to detail. It will also provide an additional level of oversight and monitoring of work of less experienced trial attorneys. The work management program will create and develop system to track work processes and outputs of the department's non-legal staff.

In addition the Department will develop a Quality Assurance and Mentor Program. This will improve skills and effectiveness of less experienced trial attorneys, and provide the checks and balances required for true accountability. It will also provide an additional level of oversight and monitoring of work of less experienced trial attorneys.

Specialization of attorneys within the Civil Program has always been encouraged and necessary. However, as the result of increased work load and/or separation of employees from the Program it has become apparent that cross-training among staff is critical. Thus, the Program intends to establish a policy where attorneys are required to learn the general job description and responsibilities of other attorneys within their section. Furthermore, it is required that Section Chiefs recognize and assign projects to attorneys within their Section which will give the attorneys additional legal experience, but which is not necessarily their everyday function and/or responsibility.

The Civil Division defends the Constitution and laws of the State of Louisiana; provides information and legal services in the areas of general civil law, public finance and contract law, education law, and land and natural resource law

Education/Interagency Transfer Section represents the Board of Elementary and Secondary Education, the Board of Regents, the Department of Education and various other public agencies on education related litigation. This section represents public officials in various other litigation involving, for example, constitutionality of exit exams, administration of medication at schools, and various challenges to state aid for parochial schools. The Education Section responds to requests for attorney general opinions from the various State and local education boards, on issues related to elementary, secondary and higher education, and represents the Board of Regents concerning the higher education desegregation litigation. The Interagency Transfer Section includes administration of up to ten attorneys in various state departments, including Labor, Secretary of State, Louisiana Housing Finance Authority, Insurance and Inspector General. This Section represents their agencies in a variety of capacities, including confidential assistant, general counsel, litigation defense, collection and drafting of opinions, and the defense of statutory law alleged to be unconstitutional.

Governmental Litigation Section represents the state in constitutional challenges to state laws, as well as defense of state agencies and elected officials in civil claims where torts are not involved such as injunctions and mandamus actions. Attorneys practice before all courts of the state and of the United States. This section generally performs legal services for state and local officials in the form of rendering advisory opinions, telephone discussions and the defense and prosecution of civil litigation. Examples of litigation include the defense of Louisiana's 21 age drinking law and defense of the state's open primary law regarding the election of congressmen on federal election day, which was heard by the United States Supreme Court. Opinions rendered by this Section cover a broad spectrum of questions from open meetings, public records, dual office holding, elections and general governmental law. This Section assists other sections in litigation matters and represents a number of state boards and commissions, including the Board of Chiropractic Examiners, the Cemetery Board, and providing hearing officers for various entities. This Section handles reapportionment and election

cases both independently and in conjunction with other state officials and submits state laws for administrative approval under Section 5 of the Voting Rights Act. This Section also provides legal representation, renders advice, and prepares educational publications for the state's Justices of the Peace and Constables.

*Lands & Natural Resources Section* advises and renders legal support to state agencies, levee boards, commissions and other political subdivisions pertaining to lands, waterbottoms, boundaries, accretion and erosion, oil and gas, public rights of use and access, sale and acquisition of lands, expenditure of public funds, and related activities. It defends the title of the state and its political subdivisions to land and waterbottoms, and safeguards the interests of the state in lands and mineral transactions involving publicly-owned lands and waterbottoms. The agencies and political subdivisions served by this Section include several state departments, such as the Division of Administration, the State Mineral Board, the Department of Culture, Recreation and Tourism, the Department of Natural Resources, the Office of Public Works, as well as numerous school boards, police juries, all state universities, the Louisiana Department of Transportation and Development, the Louisiana Department of Wildlife and Fisheries, the Board of Trustees for state Colleges and Universities, the Louisiana Military Department, assessors, district attorneys, levee boards and the Louisiana Offshore Oil Port.

*Public Finance and Contracts Section* enables attorneys in the office to specialize and provide competent, professional representation to statewide elected officials such as the Treasurer, as well as other state boards and commissions, including the State Bond Commission, the Louisiana Housing Finance Authority, the Louisiana Recovery District, the Architects Selection Board, the Engineers Selection Board, and the Office Facilities Corporation. This Section has the responsibility for the preparation or review of all legal documents required for issuance of state general obligation bonds and state revenue anticipation notes. It reviews revenue bond issues of the state including issues of the Transportation Trust Fund and the Office Facilities Corporation. This Section provides counsel to the State Bond Commission which entails reviewing all items brought before the Bond Commission and responding to questions and concerns of the members and staff on all areas of finance law. It provides legal assistance to the Division of

Administration in connection with the acquisition of real estate, as well as the preparation of the Capital Outlay Bill, and the preparation of cooperative endeavor agreements between the state and non-state entities funded through the Capital Outlay Act. Opinions rendered by this Section center around areas of taxation, public finance, public bid law, and contracts. The Section also prepares legal services contracts and representation agreements on behalf of the Department of Justice. In fiscal year 2003-2004, this Section reviewed and represented the state on approximately 10 multi-million bond issues.

The Public Protection Division asserts and protects the State of Louisiana's interests by providing legal services in the general areas of consumer protection and environmental law, insurance receivership law, and fair housing law.

Consumer Protection/Environmental Section has the responsibility of enforcing consumer protection laws in this state and serving as a public trustee in connection with conserving, protecting, and replenishing Louisiana's natural resources. In the Consumer Protection area, the Section was granted authority under the Unfair Trade Practice Act to conduct investigations as necessary when the Attorney General has reason to believe an unfair or deceptive trade practice has taken place, is taking place or is about to take place. In connection with its authority to investigate consumer related unfair trade practices, the Section has joined with local officials in the investigation of several chain distribution schemes, mail order schemes in violation of U.S. Postal Inspection Regulations and conducted investigations with the Used Motor Vehicle and Parts Commission on several used automobile businesses resulting it in removal of license and attachment by the Internal Revenue Service. The Section has also successfully litigated several registration enforcement cases. The Section also conducts consumer awareness seminars throughout the state on subjects vitally important to the public, such as shoplifting, fraud, theft, and other deceptive trade practices. An important focus of the Section is mediation and investigation of consumer complaints and inquiries. This Section is also charged with the duty of enforcing the antitrust and related laws relative to the regulation of trade and commerce, including but not limited to, the protection of the welfare of small business interests and the interests of any persons injured by antitrust violations and conspiracies in restraint of trade and other patterns of organized business extortion and theft. In the Environmental area, the Section assists the Attorney General in the discharge of his

duties under the Environmental Quality Act and in connection with the constitutional responsibility and power of the Attorney General as chief legal officer of the state to institute, prosecute, or intervene in any civil action in order to assert or protect a state natural resource interest. The Section prepares opinions, analyzes legislation and advises officials and employees of the Department of Natural Resources, the Department of Environmental Quality, the Department of Public Safety, the Department of Wildlife and Fisheries, the Department of Culture, Recreation and Tourism, the Office of Public Works, the Department of Agriculture, the United States Corps of Engineers and other interested federal and state agencies or subdivisions. Staff personnel attend hearings throughout the state and visit problem sites and meet with representatives of both government and industry to seek resolution of environmental problems. Staff personnel also respond to inquiries and complaints from city-state coastal zone regulations in connection with offshore leasing by the U.S. Department of the Interior, and numerous administrative enforcement actions involving hundreds of thousands of dollars of assessed penalties against environmental violators in Louisiana.

Equal Opportunity Section is responsible for the administration and enforcement of the Louisiana Equal Housing Opportunity Act. This Section is active in investigations, conciliations, and judicial enforcement. Staff personnel cooperate with the federal government in the enforcement of the federal Fair Housing Act. This Section conducts outreach programs throughout the State of Louisiana to inform Louisiana citizens of their rights regarding the sales and or rentals of dwellings under the Louisiana Equal Housing Opportunity Act and the Federal Fair Housing Act.

Securities and Insurance Section has direct involvement and knowledge of insurance liquidations in Louisiana. This Section performs legal work, supervises contract counsel, and works with the Department of Insurance, the Louisiana Receivership Office, and the courts. Staff personnel conduct research in insolvency cases and maintain a proactive position in the area of insurance liquidation. This Section reviews legal bills of contract attorneys, incorporates terms of engagements and development with contract attorneys and the Department of Insurance case management plans for liquidations. The Section relies totally upon self-generated revenues for its operation.



Tobacco Section enforces the Tobacco Master Settlement Agreement (MSA) by investigating and litigating violations; performs site and event checks for violations; educates public officials and the public through presentations on the MSA; and collects penalties from its work.

**AUTHORIZATION FOR GOAL(S):**

LA Constitution, Article	LA R.S. 1821-1824
IV, Section 8	LA R.S. 51:1901-1909.1
LA R.S. 36:701(D)	LA R.S. 51:1910-1916
LA. R.S. 36:704(D)	
LA R.S. 36:704(C)	
LA R.S. 9:2711.1	
LA R.S. 9:3361	
LA R.S. 9:3301-3342	
LA R.S. 45: 810-817;	
45:821 et seq.	
LA R.S. 46:2702	
LA R.S. 47:843	
LA R.S. 51 :42-53	
LA R.S. 51: 361-363	
LA R.S. 51 :411-414	
LA R.S. 51:421 et seq.	
LA R.S. 51 :463	
LA R.S. 51 :916	
LA R.S. 51:1420	
LA R.S. 51:1421	
LA R.S. 51:1711	
LA R.S. 51:1721-1725	
LA R.S. 51:1745-1 747	
LA R.S. 1575-1582	

## **GOALS:**

- I. Provide superior and professional services on behalf of the State of Louisiana through the Civil Program.
- II. Develop and maintain a working environment that encourages competent individuals to pursue career employment in the Civil Program.
- III. Ensure a fair and equitable environment for both consumers and businesses.
- IV. Ensure equal access to housing for all Louisiana citizens regardless of their race, color, national origin, religion, sex, familial status or physical/mental disability by enforcing fair housing standards consistent with the Louisiana Open Housing Act and the Federal Fair Housing Act.

## **LOUISIANA VISION 2020:**

The goals of this program incorporate the two goals of the Louisiana Vision 2020: Goal 1: To be a learning enterprise in which all Louisiana businesses, institutions, and citizens are actively engaged in the pursuit of knowledge and Goal 2, Objective 2.8: To have a equitable tax structure, regulatory climate, and civil justice system conducive to a business retention and the creation and growth of innovative companies.

## **DUPLICATION:**

No other state agency is charged with defense of the Constitution , the laws of the State of Louisiana, and protecting the State of Louisiana's interests by providing legal services in the general area of consumer law. Thus, there is no duplication of effort by any other state agency.

**GOAL I: Provide superior and professional services on behalf of the State of Louisiana through the Civil Program.**

**OBJECTIVE I.1:** To increase the amount of representation to Elected Officials, Boards, Commissions and Citizens of Louisiana and to respond to 100% of requests within an average of 25 days.

*JUSTIFICATION: Increasing the number of boards and commissions by 50% by June 30, 2010, will greatly benefit the Civil Division and the Department as a whole in terms of providing expert legal representation at a reduced rate (than private sector) to boards and commissions, who are not in a position to be able to afford private legal assistance, which in turn enables the boards and commissions to be more productive and to provide a better service to its clients/customers. Additionally, increasing this service will increase the specialized knowledge of the attorneys on staff within Civil Division. At this time, the focus has turned to board representation at colleges and universities.*

*BENCHMARKING: By increasing the boards and commissions represented by the Attorney General's office, there will also be an increase in the amount of time attorneys devote to such practice. If necessary, additional attorneys may be needed to exclusively represent boards and commission in various Civil Division sections. There is also a target to have specialization in this field. The attorneys who presently represent boards and commission have been doing so for 2-5 years and are gaining the experience and knowledge to apply same to specializing in this field of representation. They presently compare in knowledge to private practice attorneys who are in this line of work, but not in experience. Therefore, the target is for assistant attorneys general to gain more experience in this field so boards and commissions will seek our legal representation, rather than private counsel. We will continue to benchmark in the area of cost, so that a target can be set in the near future.*

*PRIMARY PERSONS BENEFITING: The general public, particular boards and commissions, and the Louisiana Department of Justice.*

**STRATEGY I.1.1 :** Identify which boards and commissions our Section presently represents and at what cost.

**STRATEGY I.1.2 :** Research the number of boards and commissions and the potential to represent their needs, and their present representation, including costs.

**STRATEGY I.1.3 :** Identify the number of attorneys on staff, their present work load, and whether additional staff would be required, and how many boards and commissions could be represented,

without decreasing the quality of the representation or other work of the staff.

STRATEGY I.1.4 : Contact other state boards and commissions not represented to gather information on how many boards and commissions they represent per attorney and at what cost. A list can be obtained from the Public Affairs Research Commission.

STRATEGY I.1.5 Gather data concerning public legal representation provided by other publicly-funded legal agencies serving similar program clients and program users, including district attorneys and county attorneys, and determine the cost per unit expended in specific categories of representation.

STRATEGY I.1.6: Compose and solicit proposals for board and commission representation.

STRATEGY I.1.7: Provide comprehensive and timely response to requests for information.

#### PERFORMANCE INDICATORS:

##### Input:

Number of boards not represented.

Number of attorneys in Civil Division.

##### Output:

Number of boards and commissions currently represented by the Civil Division.

##### Outcome:

Percentage change in number of boards and commissions represented.

Average response time for attorney to research and write opinions (in days) each fiscal year.

Average total time from receipt to release of an opinion (in days) each fiscal year.

Percentage of duty calls processed and responded to each fiscal year.

Average response time for attorney to respond to duty calls.

Average processing time (in days) for contracts, contract amendments, resolutions, public bond approvals (TEFRA'S), and garnishments reviewed/processed each fiscal year.

Percentage of civil cases contracted to outside firms each fiscal year.

Average number of field checks and site checks of tobacco-sponsored special events and retail outlet each fiscal year.

Quality:

Evaluate program clients and program users fully satisfied with legal representation through surveys.

**OBJECTIVE I.2:** To attend 10 hours per year of training specializing in insurance receivership law and increase in-house representation in receivership and insurance regulatory matters by June 30, 2010.

*JUSTIFICATION: To continue to provide competent and quality legal representation in an area of law which is virtually uncharted in the State of Louisiana and the country. Also, increasing in-house legal representation will be more cost effective for the insolvent insurance estates.*

*BENCHMARKING: : We have been informed by the Department of Insurance that because of the number of insurance companies placed in receivership in the State of Louisiana over the last several years, Louisiana may be leading the nation in the development and implementation of insurance receivership practices and laws. Therefore, it is very possible that Louisiana receivership management practices and legal analyses of related law may serve as a benchmark for other states. Furthermore, the department will contact NAAG and NAIC to determine percentage of in-house representation in receivership matters in other states.*

*PRIMARY PERSONS BENEFITING: Creditors and policy holders of the insolvent insurance estates and citizens of the State of Louisiana.*

**STRATEGY I.2.1:** Assignment of new receivership matters to in-house counsel.

**STRATEGY I.2.2:** Assignment of receivership matters presently handled by contract counsel to in-house counsel.

- STRATEGY I.2.3: Provide in-house training activities and workshops.
- STRATEGY I.2.4: Enrollment by in-house counsel as co-counsel in litigation assigned to contract counsel who have developed an expertise in receivership law.
- STRATEGY I.2.5: Allow and encourage attendance of seminars devoted to receivership laws.
- STRATEGY I.2.6: Active participation in existing receivership litigation and proceedings.
- STRATEGY I.2.7: Observation of courtroom litigation.
- STRATEGY I.2.8: Update and maintain resource materials in section library.
- STRATEGY I.2.9: Expand section library by acquiring resource materials on insurance receivership.
- STRATEGY I.2.10: Develop and maintain a brief bank.
- STRATEGY I.2.11: Develop and maintain an Insurance Section formulary containing form pleadings peculiar to insurance regulatory and receivership laws.

#### PERFORMANCE INDICATORS:

##### Input:

Number of new cases of insurance companies in receivership.

Number of continuing legal education training hours offered per fiscal year.

##### Outcome:

Percentage of Section staff receiving in-house training.

Number of legal memoranda of authority/briefs added to the Section's brief bank.

Number of form pleadings added to the Section's formulary.

Percentage of cases, claims, and proceedings involving receivership that are handled in-house.

##### Output:

Number of existing contract attorneys providing legal representation in receivership litigation.

Quality:

Number of insurance companies in receivership for which the Department of Justice is the counsel of record.

**GOAL II. Develop and maintain a working environment that encourages competent individuals to pursue career employment in the Civil Program.**

**OBJECTIVE II.1:** Provide 15 hours per year of professional education and training opportunities for attorneys and staff with particular emphasis on specialized training and education by the year 2010.

*JUSTIFICATION: Providing for the yearly legal educational training of the Civil Program Attorneys by June 30, 2010, would be an added benefit to the practice of law as a government attorney, and help our Department work towards the goal of hiring and retaining career government attorneys. Additionally, working towards fulfillment of this objective may produce legal educational training by the Department that is specific to the needs of the attorneys throughout the Department.*

*BENCHMARKING: When researching what other Attorney General offices provide with respect to legal training for their staff, we found that LawProse, Inc. (a company that specializes in continuing legal education training of attorneys on advanced legal writing skills) has trained the lawyers in the Attorney General's offices for Indiana, Missouri, and Tennessee. The Attorney General's office in Missouri highly recommended the service and stated they hired LawProse in 1995 for training their attorneys (170), in 1996 for managerial training, and in 1998 for another legal staff training. The government rate for a one day seminar is approximately \$6,000, plus expenses. We are continuing to benchmark in this area to set targets for our program.*

*PRIMARY PERSONS BENEFITING: The general public and the Louisiana Department of Justice.*

**STRATEGY II.1.1:** Identify how many attorneys in the Civil Program, and the special areas of legal educational training that would benefit their practice for the Attorney General's office.

- STRATEGY II.1.2: Research the number of continuing legal educational courses offered in the state and in other states, whether any such courses are geared to special areas of legal education that would benefit the attorneys in Civil Program, including costs.
- STRATEGY II.1.3: Identify the average cost per attorney for specialized legal educational training.
- STRATEGY II.1.4: Contact other state Attorney General's offices to gather information on whether they pay for the legal educational training of their attorneys, and at what cost.
- STRATEGY II.1.5: Contact other public agencies rendering legal representation to similar program clients and program users and whether they offer publicly funded or specialized legal training, and at what cost per unit of training.
- STRATEGY II.1.6: Identify professional organizations on the local, state, and national or regional levels which would provide both specialized training opportunities and interaction with other counsel.
- STRATEGY II.1.7: Identify in-house and other cost-effective CLE training opportunities.

#### PERFORMANCE INDICATORS:

##### Input:

Number of attorneys in the Civil Program requiring legal educational training, per year.

##### Outcome:

Percentage change in amount of money expended by the Department on the legal educational training of attorneys, per year.

##### Quality:

Percentage of attorneys in the Civil Program satisfied with their legal educational training.



**GOAL III: Ensure a fair and equitable environment for both consumers and businesses.**

**OBJECTIVE III.1:** Increase consumer awareness of proper business practices and consumer remedies when businesses act illegally or unfairly with more outreach publication releases and contact hours, as well as less complaint counts and improve resolution results of consumer complaints handled through the mediation process annually through June 30, 2010.

*JUSTIFICATION: Decrease number of consumers unknowingly defrauded and improve the mediation process.*

*BENCHMARKING: Search shows Arkansas Newsletter goes to all Attorneys General offices; Trial Lawyers Monthly Newsletter; press releases. : Improve, from prior fiscal years, the resolution of consumer complaints.*

*PRIMARY PERSONS BENEFITING: Citizens, consumers.*

STRATEGY III.1.1: Broaden content of newsletter (Recall Reviewer) to include coverage of current unfair trade practices.

STRATEGY III.1.2: Increase the number of public outreach programs and public speaking engagements.

STRATEGY III.1.3: Update consumer brochures to ensure information is correct and current.

STRATEGY III.1.4: Update and revise office forms and correspondence documents.

STRATEGY III.1.5: Tighten the time frame in which complaints are processed.

STRATEGY III.1.6: Revise and streamline automated phone system.

STRATEGY III.1.7: Develop database for tracking complaints and registrations.

STRATEGY III.1.8: Increase employee access to national fraud databases.

PERFORMANCE INDICATORS:

Input:

Number of calls received by Consumer Section.

Number of calls received that originated into filed complaints for  
Consumer Section.

Output:

Number of enforcement actions filed

Number of pamphlets mailed annually.

Number of public speaking engagements annually.

Percent of consumer complaints resolved annually.

Outcome:

Average number of days to respond to complaints

Average number of days to resolve complaints.

Average number of days to initiate and investigation.

Quality:

Improved satisfactory rate of resolved complaints.

**OBJECTIVE III.4 :** To attend a total of hours 10 per year of specialized training in  
statutory requirements for businesses operating in the state and the  
consumer laws.

*JUSTIFICATION: Develop staff with expertise to recognize and enforce violated laws.*

*BENCHMARKING: Require specialized on-going training for all attorneys in the area of consumer law.*

*PRIMARY PERSONS BENEFITING: Citizens, consumers.*

STRATEGY III.4.1: Hold in-house training sessions on Louisiana statutory  
provisions which Section is responsible for enforcing.

STRATEGY III.4.2: Compile a list of consumer newsletters and notices  
received, and assure their circulation to all staff.

STRATEGY III.4.3: Encourage and advocate for staff to attend seminars and meetings dealing with consumer protection.

PERFORMANCE INDICATORS:

Output:

Percentage increase in training exercises and creation of a newsletter notice library and distribution center.

Quality:

Percentage of staff receiving in-house training provided

Number of hours of in-house training provided

Percentage of Section staff indicating satisfaction with in-house training provided.

**GOAL IV: Ensure equal access to housing for all Louisiana citizens regardless of their race, color, national origin, religion, sex, familial status or physical/mental disability by enforcing fair housing standards consistent with the Louisiana Equal Housing Opportunity Act and the Federal Fair Housing Act.**

**OBJECTIVE IV.1:** To maintain and/or increase the staff's closure rate of fair housing complaints by developing greater expertise by June 30, 2010.

*JUSTIFICATION: The Equal Housing Opportunity Section of the Attorneys General's office receives funding from HUD for each complaint processed. Accordingly, maintaining or increasing our level of funding is dependent on the number of complaints we close.*

*BENCHMARKING: Compare number of cases closed monthly, quarterly, and annually as currently maintained on our database.*

*PRIMARY PERSONS BENEFITING: Citizens of Louisiana and the Attorney General's office.*

STRATEGY IV.1.1: Provide in-house seminars and training sessions regarding fair housing laws which the staff is responsible for enforcing.

STRATEGY IV.1.2: Require that all staff members review newsletters, cases, and updates from HUD regarding developments in fair housing laws.

STRATEGY IV.1.3: Require attendance at all available state and HUD sponsored seminars relative to enforcement of fair housing laws.

#### PERFORMANCE INDICATORS:

##### Input:

Number of fair housing seminars offered or required for staff by HUD and other fair housing associations.

Number of cases.

##### Output:

Number of seminars attended by staff.

##### Outcome:

Percentage of cases closed within 120 days of receipt.

##### Efficiency:

Processing time for complaints filed with Equal Opportunity Section based on monthly, quarterly, and annual database.

##### Quality:

Increase or decrease in funding for the Equal Opportunity Section, as well as, additional funding and positive evaluations by HUD (Department of Housing and Urban Development).

OBJECTIVE IV.2: To provide greater awareness of fair housing laws to the public and the regulated community through education and outreach programs by June 30, 2010.

*JUSTIFICATION: Increases the potential for generating a larger number of fair housing complaints by making the public-at-large aware of its rights and remedies under the Louisiana Equal Housing Opportunity Act. Additionally, discriminatory housing practices are prevented by educating the regulated community as to what constitutes fair housing violation.*

*BENCHMARKING: Continue comparison of database regarding number of seminars conducted.*

*PRIMARY PERSONS BENEFITING: The general public and regulated communities (real estate agencies property management, non-profit fair housing organizations, landlords, etc).*

STRATEGY IV.2.1: Conduct educational seminars for Realtors and other factions of the regulated community, as well as seminars for the general public.

STRATEGY IV.2.2: Employ use of the media to disseminate information through radio and television about fair housing rights and remedies.

STRATEGY IV.2.3: Distribute brochures and pamphlets regarding the public's rights and remedies under fair housing laws.

#### PERFORMANCE INDICATORS:

##### Input:

Number of organizations and other entities requesting seminars conducted by the Attorney General.

##### Output:

Number of seminars and educational programs conducted by the Attorney General's office.

##### Outcome:

Increase in number of fair housing complaints filed with the Attorney General's office.

##### Quality:

Number of positive evaluations by HUD.

**OBJECTIVE IV.3:** To increase the section's caseload in order to provide additional funding from Housing and Urban Development by June 30, 2010.

*JUSTIFICATION: Implicit in above stated objective.*

*BENCHMARKING: Comparison of number of cases filed in previous years as currently monitored by our database.*

*PRIMARY PERSONS BENEFITING: Attorney General's office and general public.*

STRATEGY IV.3.1: To conduct educational seminars and disseminate education to the public in order to advise them of rights, remedies and causes of action for discrimination under fair housing laws.

STRATEGY IV.3.2: To increase the number of cases closed per year in an effort to qualify for additional funding offered by HUD.

**PERFORMANCE INDICATORS:**

**Input:**

Number of fair housing complaints filed with the Equal Opportunity Section.

**Output:**

Number of fair housing complaints closed or processed by the Equal Opportunity Section.

**Outcome:**

Percentage change in number of cases closed/processed by the Equal Opportunity Section.

**Efficiency:**

Processing time for complaints filed with the Equal Opportunity Section based on monthly, quarterly and annual database.

**Quality:**

Amount of funding for the Equal Opportunity Section from HUD.

<b>PROGRAM:</b>	<b>CRIMINAL</b>
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**MISSION:** The mission of the Criminal Program is two-fold:

To seek justice on behalf of the citizens of the State of Louisiana by providing prompt, professional and ethical services to the people of the state in the prosecution of criminal cases and other matters referred to this division of the Department of Justice; and,

To investigate violations of criminal laws; to help maintain integrity in government; to assist and protect the state's gaming industry from corruption; to serve all other investigative needs of the department, and to protect and serve the public.

**PROGRAM ACTIVITIES:**

The Criminal Program includes the Criminal Division and the Investigation Division.

The functions and activities of each division are supervised by a Division Director who is responsible for monitoring the activities of all staff personnel, as well as for the administration and implementation of policy.

The Criminal Division is currently divided into five sections, each supervised by the Director of the Criminal Division.

Administrative: The purpose of the Administrative Section is to supervise, control and coordinate all personnel and functions of the Criminal Division.

General Prosecutions Section: The General Prosecution Section prosecutes violations of all types of criminal laws of the state by conducting or assisting in criminal prosecutions pursuant to the recusal or request of district attorneys. Prosecutions handled by this Section include, but are not limited to, cases involving white collar crime, public corruption, narcotics violations, violent crimes and violations of the state's environmental laws. This Section also serves as (1) advisor to the district attorneys, law enforcement

and the legislature, (2) a training agency for law enforcement, and (3) as liaison between various levels of law enforcement within the state.

*Appeals and Special Services Section:* The Appeals and Special Services Section provides legal services to the state in the areas of (1) extraditions, (2) federal habeas corpus and post conviction relief, (3) as amicus curiae in matters pending before the U.S. Supreme Court, and (4) by preparation of Attorney General Opinions concerning matters of criminal law.

*Insurance Fraud Section:* The Insurance Fraud Section provides legal services to the state in the area of insurance fraud by providing legal assistance to the Department of Insurance and Louisiana State Police in connection with crimes of this nature and by prosecuting all types of insurance fraud cases.

*Medicaid Fraud Control Unit:* The Medicaid Fraud Control Unit investigates and prosecutes individuals and entities defrauding the Medicaid Program or abusing residents in health care facilities. It also initiates recovery of identified overpayments.

The Investigation Division is currently divided into five sections, each supervised by the Director of the Investigation Division.

*Administrative:* The purpose of the Administrative Section is to supervise, control and coordinate all personnel and functions of the Investigation Division.

*Operations/Special Assignments Section:* This section is responsible for coordinating access, safety and security within the Department of Justice including executive security and coordinates with the State Office of Buildings and Grounds with regard to matters within the Livingston Building and offices in the State Capitol. This Section also includes the clerical support function, file room management, case tracking, analytical support, and the maintenance and operation of the Division's computer network, as well as fleet management. In addition, this Section includes investigators assigned to outside agency task forces, workers' compensation fraud investigations, and intelligence information.

*Investigations Section:* The Investigations Section is divided into two squads that are responsible for the investigation of alleged violations of the criminal laws of this state, conducting of civil and special investigations including investigations of public corruption, institutional and insurance fraud. The Section also provides investigative



services to the attorneys in the Criminal Division to include follow-up on cases, locating witnesses, providing security for witnesses, witness management at court proceedings, testifying on behalf of the state, and evidence management. This Section also responds to the numerous requests for investigative assistance from local, state or federal governmental agencies.

*Internal Affairs Section:* The Internal Affairs Section is responsible for coordinating the investigation of any employee in matters that may involve allegations of misconduct or violations of the ethics code of the Department or state, or that may involve a violation of Department policy and procedures.

*High Technology Crime Unit:* The HTCU is a specialized unit with attorneys, investigators, and computer forensic experts all trained in the specific field of cyber-crime investigation and prosecution. This specialized unit concentrates on combating crimes involving digital technology. The HTCU includes the first state computer forensic center and provides forensic examinations of digital evidence to the department and other local, state, and federal government agencies. The Section includes the Louisiana Internet Crimes Against Children Task Force (ICAC), that investigates crimes relating to child exploitation and abuse on the Internet. ICAC investigators conduct proactive online undercover operations and investigate child exploitation cases referred to the department from other agencies, as well as the National Center for Missing and Exploited Children. The HTCU also works cases involving online auction fraud, computer intrusion, death investigations, domestic violence, economic fraud including online fraud and counterfeiting, email threats, harassment and stalking, extortion, gaming, identity theft, narcotics, prostitution, software piracy, and telecommunications fraud. The unit also provides training to local law enforcement and gives public service lectures in regard to technology based crimes throughout the State of Louisiana.

**AUTHORIZATION FOR GOAL(S):**

Louisiana Constitution Article 4, Section 8

LA R.S. 36:701	LA C.Cr.P. 66
LA R.S. 13:4862	LA C.Cr.P. 734
LA R.S. 13:5036	LA C.Cr.P. 264
LA R.S. 49:251	LA C.Cr.P. 61
42 CFR 1007.1-1007.21	LA C.Cr.P. 62
LA R.S. 36:702	LA C.Cr.P. 63
LA R.S. 36:703	LA C.Cr.P. 64
LA R.S. 36:706	LA C.Cr.P. 65
LA R.S. 36:704	

**GOALS:**

- I. Provide superior legal and professional services to the State of Louisiana in the area of criminal law.
- II. Develop a working environment that encourages competent, dedicated individuals to pursue employment as career prosecutors and support staff in the Louisiana Department of Justice.
- III. Improve cooperative working relationships with federal, state and local law enforcement and prosecution agencies, victims' groups, and the judiciary.
- IV. To provide a high level of efficient and effective investigative services.
- V. To establish an effective, statewide education program to provide internet crimes against children training and assistance to law enforcement agencies, businesses, governmental and non-governmental agencies and schools.

## **LOUISIANA 2020:**

The goals of this program incorporate the first goal of the Louisiana Vision 2020: Goal 1: To be a learning enterprise in which all Louisiana businesses, institutions, and citizens are actively engaged in the pursuit of knowledge.

## **DUPLICATION:**

Chapter 8 of the 2000 Louisiana Audit states, “The Department of Public Safety’s Office of State Police and the Attorney General’s Office are both legislatively authorized to conduct criminal investigations. This situation leads to duplication of effort.” The Department of Justice issued a written response which concludes that, “We are unaware of any duplication of effort between our Investigation Division and the State Police. While we do the same kind of work in many instances, we do not work the same cases, except through a planned effort in a joint investigation. We do not agree with the contention that because both the State Police and our Department conduct criminal investigations, we duplicate each other. We regularly communicate with other agencies to ensure that we are not becoming involved in a matter which they may already be investigating. These things are done to maximize our resources, avoid duplication, and to produce the greatest amount of success possible from our efforts.”

## **GOAL I. To provide superior legal and professional services to the State of Louisiana in the area of criminal law.**

**OBJECTIVE I.1:** To provide prompt, efficient and just resolution of all matters referred to the criminal division to promote confidence in the division from law enforcement agencies and district attorneys with whom we come in contact, by June 30, 2010.

*JUSTIFICATION: A means to insure that efficient and effective services are provided to all customers.*

*BENCHMARKING: We will determine efficient and just resolutions of criminal matters as recommended by the NDAA and/or NAAG. We will determine all “cases per attorney” ratio as recommended by NDAA and/or NAAG.*

*PRIMARY PERSONS BENEFITING: All internal and external customers of the Division as covered by the Internal/External Assessment.*

STRATEGY I.1.1: To employ a sufficient number of experienced, competent attorneys and support staff to insure that all matters are handled as efficiently, expeditiously, and as ethically as possible.

STRATEGY I.1.2: To make maximum use of victim/witness coordinator to establish and/or maintain professional, informed and effective relationships with victims, their families, and witnesses, and to assure appearances of witnesses when required.

STRATEGY I.1.3: To require consistent and continual communication, when practical, among all individuals concerned with the prosecution of each case being handled by the criminal division.

STRATEGY I.1.4: To treat victims, their families, and all witnesses fairly and with respect.

STRATEGY I.1.5: To require all attorneys to be fully prepared for all court appearances to reduce the necessity for delays/continuances.

STRATEGY I.1.6: To require out of court meetings/discussions with all essential witnesses prior to any court appearances, when practical.

#### PERFORMANCE INDICATORS:

##### Input:

Number of cases submitted to Medicaid Fraud Control Unit (MFCU).

Number of cases submitted to General Prosecutions Section.

Number of cases submitted to Appeals and Special Service Section.

Number of cases submitted to Insurance Fraud Section.

Number of cases referred to pre-trial diversion.

Number of pro-active projects initiated by the division.

Number of District Attorneys and Judicial Districts assisted.

Output:

Number of cases closed by MFCU.

Number of cases closed by General Prosecutions Section.

Number of cases closed by Appeals and Special Services Section.

Number of cases closed by Insurance Fraud Section.

Outcome:

To review cases referred from District Attorneys/Law enforcement agencies within seven days.

Number of cases reviewed within 90 days by supervisor.

Efficiency:

Percentage of cases from District Attorneys/law enforcement agencies reviewed in less than seven days.

Percentage of cases reviewed within 90 days by supervisor.

**OBJECTIVE I.2:** Make available to district attorneys the services of experienced, competent career prosecutors and support staff in every case referred for prosecution to the Criminal Division by June 30, 2010.

*JUSTIFICATION: Competent legal services for District Attorneys is vital to insure that the legal system functions as effectively as possible.*

*BENCHMARKING: To determine number of training opportunities for attorneys as recommended by ABA, NDAA and/or NAAG.*

*PRIMARY PERSONS BENEFITING: District Attorneys and all victims (both private and public sector) involved in the matters at hand.*

**STRATEGY I.2.1:** To provide opportunities for continuing legal education in all aspects of criminal law to all attorneys employed in the Criminal Division.

STRATEGY I.2.2: To provide educational/training opportunities in specialized areas of criminal law to those attorneys handling particular types of cases.

PERFORMANCE INDICATORS:

Input:

Number of cases submitted to the division.

Number of opinion requests.

Number of citizen requests for information.

Number of hours of continuing legal education.

Number of hours of “in-house” training.

Output:

Number of cases closed by the division.

Number of opinions released.

Outcome:

Percentage of Criminal Division attorneys receiving 15 continuing legal education (CLE) hours during most recent calendar year.

Average number of working days to begin coordination of effort between investigator and prosecutor.

Average number of working days for initial contact with victim(s)/witness(es) from date of initial consultation between attorney and investigator.

Average number of working days from receipt of disability case to completion of initial review to accept or decline case.

Average number of working days after receipt of DOI insurance fraud complaint referral to assignment of prosecutor.

Percentage attendance of DOJ personnel at monthly information-sharing meeting of insurance industry and task force representatives.

Percentage of case consultation requests handled within 2 working days.

Average number of working days to process extradition requests.

Percentage of attorneys with five or more years of criminal (prosecution) experience.

Percentage of attorneys with 10 or more years of criminal (prosecution) experience.

Efficiency:

Number of satisfactory or above performance evaluations.

**GOAL III. Improve cooperative working relationships with federal, state and local law enforcement and prosecution agencies, victims' groups, and the judiciary.**

**OBJECTIVE III.1:** Make available to District Attorneys the services of attorneys with specialized prosecution expertise (including MFCU, economic and environmental crimes, violent crimes, extradition services, habeas services) staffed by experienced, competent attorneys and support staff by June 30, 2010.

*JUSTIFICATION: Necessary to assist our customers (i.e. district attorneys) in areas of expertise and with resources that are beyond the scope of their offices.*

*BENCHMARKING: We will gather information concerning cooperative endeavors currently in effect in AG offices with criminal jurisdiction in other states.*

*PRIMARY PERSONS BENEFITING: All external customers as covered in the Internal/External assessment.*

**STRATEGY III.1.1:** Increase awareness of district attorneys, local and state law enforcement agencies, and federal law enforcement and prosecution agencies concerning the existence of the specialized units and expertise within the Criminal Division in order to encourage and expand the utilization of the services to be provided by personnel in these Sections.

**STRATEGY III.1.2:** Participate in and/or sponsor education and training conferences, seminars and other activities with federal, state and local law enforcement and prosecution agencies in order to “network” with those customers of the Criminal Division with control over submission of cases to the

division or who effect the handling of cases after submission to the division.

**PERFORMANCE INDICATORS:**

**Input:**

Number of training programs for state agency personnel and health care providers provided by MFCU.

Number of proactive projects to detect abuse of the infirm and Medicaid fraud initiated during fiscal year.

Total number of training seminars/conferences attended.

**Output:**

Total number of persons trained at seminars/conferences.

**Outcome:**

Percentage of attendees who felt the seminar/conference was beneficial from an educational standpoint.

**Efficiency:**

Cost/student to attend the seminar/conference.

**GOAL IV: To provide efficient and effective investigative services.**

**OBJECTIVE IV.1:** To improve the overall efficiency and productivity of Investigation Division employees by enhancing the employees job knowledge, ability and career development by June 30, 2010.

*JUSTIFICATION: Efficiency and productivity can only be achieved when employees are properly trained in their duties and responsibilities.*

*BENCHMARKING: We will meet or exceed state and federal standards for training requirements for law enforcement agencies.*

*PRIMARY PERSONS BENEFITING: Division employees.*



STRATEGY IV.1.1: Maximize training dollars by taking advantage of worthwhile no-cost or minimal cost training opportunities.

STRATEGY IV.1.2: Send each investigator to, at least one external training session during the fiscal year, depending on workload and cost consideration.

STRATEGY IV.1.3: Provide firearms training for each investigator at least four times per year.

**PERFORMANCE INDICATORS:**

**Input:**

Total training hours provided investigative staff.

**Output**

Total number of investigative staff who participated in external training sessions.

Total number of investigative staff who participated in firearms qualifications sessions.

**Outcome:**

Percentage of investigative staff who participated in internal/external training sessions.

Percentage of investigative staff who participated in firearms qualification sessions during most recent calendar year.

**Efficiency:**

Average number of training hours provided per investigative staff member.

**OBJECTIVE IV.2:** To monitor the productivity of the Investigation Division by maintaining accurate statistical data regarding investigative matters by June 30, 2010.

*JUSTIFICATION: A means to measure and demonstrate the number of investigative matters handled by the division is important to assess productivity, develop manpower initiatives, and to judge customer service.*

*BENCHMARKING: Guidelines from the State of Louisiana performance based budget to justify additional funding for Investigation Division.*

*PRIMARY PERSONS BENEFITING: All internal and external customers as covered in the internal/external assessment.*

STRATEGY IV.2.1: Maintain, upgrade, and enhance the Division's computerized database system for gathering statistical information.

STRATEGY IV.2.2: Conduct periodic reviews of all active investigative matters on a 30, 90, or 180 day interval, depending on the investigative status of the case.

#### PERFORMANCE INDICATORS:

##### Input:

Total number of Investigation Division cases opened.

Total number of Investigation Division investigations initiated upon external requests.

Total number of Investigation Division investigations initiated upon internal requests.

Total number of joint investigations between the Investigation Division and local, state, and federal agencies.

##### Output:

Number of arrests.

Number of citizen complaints handled or resolved.

Total number of Investigation Division cases closed.

Total number of joint investigations between the Investigation Division and local, state, and federal agencies that result in criminal charges

##### Outcome:

Percentage of total number of joint investigations between the Investigation Division and local, state, and federal agencies that result in criminal charges.

**OBJECTIVE IV.3:** To ensure the Investigation Division handles complaints from the general public in a professional and timely manner for a proper resolution of the complaint by June 30, 2010.

*JUSTIFICIATION: To measure and determine the quality of service provided to the general public.*

*BENCHMARKING: We will strive to improve average response time and proper resolution to general public complaints from the prior year.*

*PRIMARY PERSONS BENEFITING: All non-law enforcement and non-governmental agencies which are identified as the “public sector”.*

STRATEGY IV.3.1: Respond to telephone complaint calls and requests for assistance in a professional manner.

STRATEGY IV.3.2: Respond to complaint letters received by citizens in a professional manner.

STRATEGY IV.3.3: Refer complaints and requests for assistance to the proper agency or section of government in a professional manner.

**PERFORMANCE INDICATORS:**

**Input:**

Total number of citizens’ complaints received.

**Output:**

Total number of citizen complaints resolved.

**Outcome:**

Percentage of total citizens’ complaints resolved.

**GOAL V:** To establish an effective, statewide education program to provide training on the prevention of internet crimes against children and assistance to law enforcement agencies, businesses, governmental and non-governmental agencies and schools.

**OBJECTIVE V.1:** To demonstrate the productivity of the High Technology Crime Unit (HTCU-ICAC) by maintaining accurate statistical data regarding the training effort undertaken by June 30, 2010.

*JUSTIFICATION: A means to measure the training effort and to demonstrate the extent of the training, on a statewide basis.*

*BENCHMARKING: We are the model in the State of Louisiana. There is no other law enforcement agency currently investigating High Technology Crimes to this extent. We will search to obtain national recognition.*

*PRIMARY PERSONS BENEFITING: Participating law enforcement, governmental and non-governmental agencies, and schools.*

**STRATEGY V.1.1:** Send all HTCU-ICAC investigators to regular external training sessions specifically to learn the latest trends and criminal activities involving internet crimes against children.

**STRATEGY V.1.2:** Publicize the qualifications and knowledge of the HTCU-ICAC by sponsoring public service announcements and other media events and by soliciting speaking slots at area and statewide seminars.

**PERFORMANCE INDICATORS:**

**Input:**

Number of schools that received informational program educating on the dangers of the Internet and cyber crime.

Number of occasions designed to raise public awareness of the dangers of the Internet and cyber crime through public forums and the press.

Total number of proactive training programs conducted.

**Output:**

Total number of HTCU-ICAC investigators who participated in the training sessions.

**Outcome:**

Average number of days to begin an investigation after receiving a complaint involving immediate threat.

Percentage of the HTCUI-ICAC investigative staff who participated in the training sessions.

Efficiency:

Number of hours on the internet in proactive investigative activity.

Number of Louisiana law enforcement officers trained on how to conduct proactive investigative activity.

<b>PROGRAM:</b>	<b>LITIGATION</b>
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**MISSION:** The mission of the Litigation Program is to provide legal representation for the Office of Risk Management, the Self-Insurance Fund, the State of Louisiana and its departments, agencies, boards and commissions and their officers, officials, employees and agents in all claims covered by the State Self-Insurance Fund, and in all tort claims whether or not covered by the Self-Insurance Fund.

The state's tort liability exposure is far greater than in the private sector, both in dollar amount and in variety of claims asserted; examples include: road hazard liability; public health care provider liability; legislative liability; regulatory liability; and alleged liability for illegal and/or intentionally wrongful actions of elected officials. Suits against the state range from relatively minor worker's compensation claims to complex multi-district federal litigation involving hundreds of suits and/or parties and hundreds of millions of dollars of exposure. Estimated attorneys' fees range from less than \$500 to hundreds of thousands of dollars

**LOUISIANA VISION 2020:**

The goals of this program incorporate the two goals of the Louisiana Vision 2020: Goal 1: To be a learning enterprise in which all Louisiana businesses, institutions, and citizens are actively engaged in the pursuit of knowledge and Goal 2, Objective 2.8: To have a equitable tax structure, regulatory climate, and civil justice system conducive to a business retention and the creation and growth of innovative companies.

**DUPLICATION:**

No other state agency is charged with defense of the Constitution, the laws of the State of Louisiana, and protecting the State of Louisiana's interests by providing legal services in the area of tort litigation. Thus, there is no duplication of effort by any other state agency.

## **PROGRAM ACTIVITIES:**

The Program intends to develop and implement a work management program to provide input into a quality assurance system that will track and provide management with true accountability of the legal professionals work product. Improve skills and effectiveness of less experienced trial attorneys as the use of this program will encourage attention to detail. It will also provide an additional level of oversight and monitoring of work of less experienced trial attorneys. The work management program will create and develop systems to track work processes and outputs of the department's non legal staff.

The Litigation Program is subdivided into six sections: Administration, Civil Rights, General Liability, Medical Malpractice, Road Hazards and Workers' Compensation. The five substantive law sections specialize in litigation matters filed against the State. The Administration section oversees personnel and operational matters as they pertain to the Litigation Program. The program has five Regional Offices that support the sections geographically in various matters of litigation filed.

Additionally, there are substantive matters that are deemed to require special litigation and are assigned to the Special Litigation Counsel.

### ***Civil Rights Section***

The Civil Rights Section generally represents state officials, employees, state agencies, and the "state" in litigation seeking monetary damages brought under 42 U.S.C. 1983, as well as virtually all other federal statutory schemes relating to employment, state statutes dealing with employment discrimination (such as La. R.S. 23:321, et seq.) and prisoner suits brought pursuant to La. R.S. 15:1171 et seq., both under judicial review and for tort damages under the Pope decision.

The Section is active nationally with the National Association of Attorneys General in making decisions on participating in the presentation of *Amicus Curiae* briefs in the United States Supreme Court, consulting with NAAG on prison litigation issues and participates yearly in the NAAG Prison Litigation Seminar.

### ***General Liability Section***

The General Liability Section provides legal defense to the state, state agencies and employees, etc. against tort litigation in regard to claims of personal injuries and/or property damages which allegedly occurred on state property or was caused by a state employee or officer.

### ***Medical Malpractice Section***

The Medical Malpractice Section is primarily responsible for handling malpractice cases against public health care providers as defined by La. R.S. 40:1299.39.

### ***Road Hazards Section***

The Road Hazards Section provides legal defense to the Louisiana Department of Transportation and Development in all lawsuits for personal injury, property damage, wrongful death and business losses attendant to DOTD operations and/or conditions of DOTD roads, bridges, or other property.

The section typically handles lawsuits involving maintenance, design, construction, and operations of DOTD's roads and bridges.

### ***Workers' Compensation Section***

The Workers' Compensation Section is responsible for representation in workers' compensation suits filed by state employees against their respective agencies and departments, as well as subrogation matters and Jones Act/maritime suits from Risk Management.

### **REGIONAL OFFICES**

Regional Offices are strategically located in the state to support the litigation work of the Sections. The offices are located in Alexandria, Lake Charles, Lafayette, New Orleans and Shreveport.



### ***Alexandria Office***

The Alexandria Office was opened in September, 1995. The personnel assigned to the office have a clear definition of the mission of the office and gained a working knowledge of the procedures to be utilized as employees of a satellite/regional office under the direction and supervision of the Director, Deputy Director and Section Chiefs located in Baton Rouge and in conjunction with the adjusters in the Office of Risk Management. Its function is to serve the litigation needs of the state in the following parishes: Avoyelles, Rapides, Natchitoches, Grant, Winn, Sabine, La Salle, Catahoula, Vernon, and Concordia. Additionally the office provides litigation needs to the Monroe area parishes.

### ***Lafayette Office***

The Lafayette Office was opened in March, 1996. Its function is to serve the civil litigation needs of the state in eight parishes: Lafayette, Vermilion, St. Martin, St. Mary, Iberia, St. Landry, Evangeline, Acadia.

### ***Lake Charles Office***

The Lake Charles Office was opened in FY 1994-95. The office provides legal analysis, legal research, draft pleadings, conduct discovery, appear for court hearings, trials and arguments for the litigation needs of the state. Its function is to serve the litigation needs of the state in five parishes: Allen, Beauregard, Calcasieu, Cameron, and Jefferson Davis.

### ***New Orleans Office***

The New Orleans Office was opened in January, 1995. A partial sectionalization in this office has been accomplished particularly in the Medical Malpractice defense litigation, followed to a lesser extent as it pertains to Civil Rights, General Liability, Road Hazards and Worker's Compensation. Its function is to serve the litigation needs of the state in the following parishes: Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John The Baptist, St. Tammany, Tangipahoa, Terrebonne, Lafourche, Assumption, and Washington.

### ***Shreveport Office***

The Shreveport Office was opened on August 1, 1994. The office is responsible for the defense of tort and tort-related litigation against the state for the following parish area, which includes Caddo, Bossier, Webster, Claiborne, Jackson, Bienville, DeSoto, Lincoln, Union, Winn, and Red River.

### **AUTHORIZATION FOR GOALS(S):**

Created by 1988 Acts 448;  
LSA-R.S. 36:701D; 36:704F  
LSA-R.S. 39:1533B

### **GOALS:**

- I. Provide superior legal and professional services to the Office of Risk Management.
- II. Provide legal and professional services to the Office of Risk Management in the most cost effective manner.

### **GOAL I. Provide superior legal and professional services to the Office of Risk Management.**

OBJECTIVE I.I Provide professional education and training opportunities for attorneys and staff with particular emphasis on specialized litigation training and education.

*JUSTIFICATION: We can increase the skill and effectiveness of our staff attorneys and encourage the retention of career government attorneys by providing both in-house and access to outside continuing legal education programs. These programs would be geared not only to meet the annual mandatory CLE needs of the attorneys but also to meet the specialized needs of attorneys practicing in the specific areas of trial practice covered by our division.*

*BENCHMARKING: We will look at the kinds of programs provided by other public sector law offices and private law firms for example programs that have been set up by these groups to help train their trial attorneys.*

*PRIMARY PERSONS BENEFITING: The attorneys on staff in the litigation division should benefit directly with secondary benefits inuring to our client, the Office of Risk Management, by honing the skills of the attorneys handling their cases.*

- |              |  |
|--------------|--|
| STRATEGY I.I | Provide required CLE training annually in-house.   |
| STRATEGY I.I | Provide specialized CLE training.  |
| STRATEGY I.I | Develop and implement an in-house NITA-like (National Institute of Trial Attorneys) training certification programs. |

**PERFORMANCE INDICATORS:**

**Input:**

Number of continuing legal educational training hours offered per fiscal year.

**Output:**

Number of continuing legal educational training hours completed.

**Outcome:**

Percentage of continuing legal educational hours completed.

**GOAL II. Provide legal and professional services to the Office of Risk Management in the most cost effective manner.**

**OBJECTIVE II.1** To better utilize the funds available to the Office of Risk Management for legal expenses by increasing the percentage of all risk litigation cases handled in-house to 75% by June 30, 2009.

*JUSTIFICATION: This results in a cost savings to the Office of Risk Management of handling cases by attorneys on the Litigation Division staff rather than by private attorneys.*

*BENCHMARKING: We will look at the handling of cases and the cost of handling cases by other public sector offices in other states handling similar risk litigation cases.*

*PRIMARY PERSONS BENEFITING: The Office of Risk Management will be the primary beneficiary. The benefit will result from spending less money on the defense of tort claims filed against the state of Louisiana. Ultimately, the benefit will inure to the Louisiana taxpayers whose taxes in part fund the operation of the Office of Risk Management.*

STRATEGY II.1      Increase the number of new cases handled in-house each year.

PERFORMANCE INDICATORS:

Input/Output:

Total number of cases.

Total number of cases handled by contract attorneys.

Total number of cases handled in-house.

Total number of new cases in the fiscal year.

Total number of new cases handled by contract attorneys.

Total number of new cases handled in-house.

Total legal fees for in-house attorneys.

Outcome:

Percentage of cases handled by contract attorneys.

Percentage of cases handled by in-house attorneys.

Percentage of total legal fees for contract attorneys.

Percentage of total legal fees for in-house attorneys.

Efficiency:

Average cost per case for contract attorneys and in-house attorneys.

Average cost per case is dramatically lowered as more cases are assigned to in-house attorneys.

<b>PROGRAM:</b>	<b>GAMING</b>
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**MISSION:** Create a regulatory atmosphere for licensed gaming which instills public confidence and trust that gaming activities are conducted honestly and are free from criminal and corruptive elements; to insure the integrity of individual gaming entities by the regulation of persons, practices, associations and activities within the gaming industry; and to anticipate and support necessary corrective rulemaking and legislation.

**PROGRAM ACTIVITIES:**

Louisiana Gaming Control Board: Provide superior representation, legal advice and counsel to the Louisiana Gaming Control Board in areas of land-based casino, riverboat, video poker gaming, slots at racetrack gaming and gaming on Indian lands.

Riverboat, Video Poker and Racetrack Gaming: Provide legal advice and representation to the Louisiana Gaming Control Board and State Police in all areas of gaming regulation, including licensing, enforcement, and rulemaking, as well as prosecuting administrative actions, including denials of applications, suspensions, revocations, and civil penalties. Assist in the review of files and applications. Represent the Board and State Police in judicial appeals of administrative actions and defend the Board and State Police in other civil litigation related to gaming.

Land Based Casino: Provide legal advice and representation to the Louisiana Gaming Control Board and State Police in all areas of gaming regulation, encompassing licensing, enforcement, and rulemaking, as well as prosecuting administrative actions, encompassing denials of applications, suspensions, revocations, and civil penalties. Assist in the review of files and applications. Represent the Board and State Police in judicial appeals of administrative actions and defend the Board and State Police in other civil litigation related to gaming. As necessary negotiate on behalf of, represent and provide counsel to the Louisiana Gaming Control Board regarding the Casino Operating Contract and Casino Support Services Contract.

Louisiana Lottery Corporation: Attend meetings of the Louisiana Lottery Corporation Board (LLC). Provide legal advice and counsel to the LLC on wide ranging issues concerning operation of the Lottery in accordance with statutory provisions. Participate in the review of Requests for Proposals issued by the Lottery for the solicitation of services to the LLC. Provide legal defense in certain matters instituted against the LLC.

State Racing Commission: Provide legal representation and counsel to the Racing Commission in all matters regarding the regulation of the horse racing industry, pari-mutuel wagering and off-track wagering. Prosecutes administrative actions on behalf of the Commission and defend the Commission in all civil litigation to which it is a party.

Charitable Gaming Control: Provide legal advice and representation to the Department of Revenue and Taxation in all areas of gaming regulation, including licensing, enforcement, and rulemaking, as well as prosecuting administrative actions, including denials of applications, suspensions, revocations, and civil penalties. Assist in the review of files and applications. Represent the Department of Revenue and Taxation in judicial appeals of administrative actions and defend the Department of Revenue and Taxation in other civil litigation related to gaming.

Indian Gaming: Advise the Governor's office and the Louisiana Gaming Control Board on matters of Indian Gaming and Indian law. Provide legal counsel to the Louisiana State Police Indian Casino Gaming Program. Handle all reviews of the denial, suspension, and revocation of state certification to work for or do business with Indian casinos. Serve as a resource for numerous state agencies for information on Indian gaming and Indian law.

**AUTHORIZATION FOR GOAL(S):**

LA R.S. 27:1 et seq., The Louisiana Gaming Control Board, successor in authority to the Louisiana Economic Development and Gaming Corporation, Riverboat Gaming Commission, and the Riverboat Gaming Enforcement Division and Video Gaming Program of the Louisiana State Police. Act 7 of the First Extraordinary Session of 1996. The Board further has all regulatory, enforcement and supervisory authority which exists in the state as to gaming on Indian lands as provided in Act 888 of 1990 and Act 817 of 1993.

LA R.S. 4:141 et seq., the Louisiana State Racing Commission.

LA R.S. 33:4861.1 et seq., The Division of Charitable Gaming Control, Office of State Police.

LA R.S. 47:9001 et seq., The Louisiana Lottery Corporation.

**GOALS:**

- I. Provide superior legal and professional services to the State of Louisiana through a system for maintaining competent and highly qualified individuals.
- II. Improve service to gaming regulatory clients, law enforcement agencies, the industry and general public.

**LOUISIANA VISION 2020:**

The goals of this program incorporate the first goal of the Louisiana Vision 2020: To be a learning enterprise in which all Louisiana businesses, institutions, and citizens are actively engaged in the pursuit of knowledge.

**DUPLICATION:**

No other state agency provides legal advice and representation for Gaming matters in the State of Louisiana. The Louisiana Legislative Auditor cited duplication of efforts in connection with four entities; the Louisiana Lottery Corporation, the Louisiana Racing Commission, the Office of Charitable Gaming, and the Louisiana Gaming Control Board

in chapter 9 (Gaming Regulation). The Department of Justice was mentioned as a legal representative to the four previous entities but was not included in the auditors' list of agencies involved in duplication of efforts.

**GOAL I: Provide superior legal and professional services to the State of Louisiana through a system for maintaining competent and highly qualified individuals.**

**OBJECTIVE I.1:** Insure that attorneys and staff receive at least 15 hours of specialized education and training each year in addition to general legal education training by the date of June 30, 2010.

*JUSTIFICATION: Professional legal education is required for continued admission to practice law in Louisiana and serves to maintain competence of the legal staff and to develop maximum effectiveness.*

*BENCHMARKING: Determine available, relevant educational opportunities and establish standards of attainment.*

*PRIMARY PERSONS BENEFITING: Gaming Division attorneys and the regulatory clients.*

STRATEGY I.1.1: Identify the special areas of legal educational training that would benefit attorneys in the Gaming Program for the Attorney General's office.

STRATEGY I.1.2: Research the number of continuing legal educational courses offered in the state and out of state, whether any such courses are geared to special areas of legal education that would benefit the attorneys in Gaming Program, including costs.

STRATEGY I.1.3: Identify the average cost per attorney for specialized legal educational training.

STRATEGY I.1.4: Identify professional organizations on the local, state and national or regional levels which would provide both



specialized training opportunities and interaction with other counsel.

STRATEGY I.1.5: Identify in-house and other cost-effective training opportunities.

PERFORMANCE INDICATORS:

Input/Output:

Total number of hours offered.

Total number of hours taken per required employee.

Percentage change in amount of money expended by the Department on the legal educational training of attorneys in the Gaming Program, per year.

Outcome:

Percentage of attorneys in the Gaming Program receiving at least fifteen hours of specialized education and/or training.

Efficiency:

Cost per attorney/hour for legal educational training.

OBJECTIVE I.2: Reduce employee turnover rate by 50% among individuals, both professional and clerical, who have acquired unique expertise and have demonstrated ability through the date of June 30, 2010.

*JUSTIFICATION: Many highly qualified attorneys throughout the Attorney General's office are lost to the private sector because of higher salaries. To pay attorney's their competitive worth will reduce turnover.*

*BENCHMARKING: Research private sector and other competitive salary scales and set standards for attainment.*

*PRIMARY PERSONS BENEFITING: Gaming Program attorneys, regulatory clients and general public.*

STRATEGY I.2.1: Analyze competitive and private sector salary schedules.

STRATEGY I.2.2: Develop salary scale commensurate with competitive and private sector.

STRATEGY I.2.3: Acquire necessary funding.

PERFORMANCE INDICATORS:

Input:

Total number of employees at the beginning and end of each fiscal year.

Total number of departing employees per fiscal year.

Total number of incoming employees per fiscal year.

Increase in average salary per professional/clerical position.

Average salary per professional/clerical position.

Outcome:

Percentage change toward competitive salary scale.

Decrease in turnover rate within the Division.

**GOAL II. Improve service to gaming regulatory clients, law enforcement agencies, the industry and general public; and more effectively utilize modern information management technology for internal management by the date of June 30, 2005.**

**OBJECTIVE II.1:** Improve assistance to the Louisiana Gaming Control Board and State Police in processing 90% of applicant, licensee and permittee files in 45 days.

*JUSTIFICATION: Presently the State Police and Attorney General's Gaming Division are located in several different locations in different cities throughout the State of Louisiana. Development of an integrated system capable of sharing information contained in files and documents will increase performance and efficiency benefiting the regulatory clients and industry. The regulatory agencies, as well as industry clients both have an interest in timely processing of files. Improving efficiency within the Gaming Division will benefit all parties.*

*BENCHMARKING: Research electronic systems, such as the internet, and establish standards for implementation. Research other gaming jurisdictions' procedures and develop standards as applicable.*

*PRIMARY PERSONS BENEFITING: Regulatory clients and Gaming Industry.*

- STRATEGY II.1.1: Coordinate within the Louisiana State Police in developing common parameters, terminology and technology.
- STRATEGY II.1.2: Develop and improve electronic communication with Gaming Regulatory Clients and enforcement agencies by developing a plan for implementation of file and document sharing via electronic communication.
- STRATEGY II.1.3: Consult with other states' gaming regulatory entities regarding reporting methodologies.
- STRATEGY II.1.4: Consult with MIS to develop plan including software applications and equipment.
- STRATEGY II.1.5: Develop plan for implementation of file and document sharing via electronic communication.
- STRATEGY II.1.6: Research costs and maintenance methodologies.
- STRATEGY II.1.7: Obtain necessary funding.
- STRATEGY II.1.8: Streamline, standardize and perfect the electronic case and document management system (CDMS) within the Division by the year 2010.

PERFORMANCE INDICATORS:

Input/Output:

- Number of video poker administrative action letters drafted/issued.
- Number of video poker administrative hearings held.
- Number of video poker Judicial appeals.
- Number of video poker files reviewed.
- Number of casino gaming administrative action letters drafted/issued.
- Number of casino gaming administrative hearings held.
- Number of casino gaming judicial appeals held.
- Number of casino gaming application files reviewed.

Outcome:

- Percentage of casino gaming files processed in 45 days.

Percentage of video poker files processed in 45 days.

Average time to process video poker application files.

Average time to process casino gaming application files.

Number of files and documents shared.

Percentage decrease in time required to obtain files and documents.

Efficiency:

Decrease in average application time.